IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 24271 of 2004

Between:

1 N.P. Ch. Rao, S/o. Mastan Rao, Driver E-351450
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
2 D.KI.P. Rao, S/o. Venkateswaralu, Driver E-401757
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
3 B.V.K. Reddy, S/o. Laxma Reddy, Driver E-352555
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
4 P. Daya Ratnam, S/o. Issak,Driver E-505349
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
5 Abdul Kaleem, S/o. Abdul Rahman,Driver E-352565
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
6 T.V. Ratnam, S/o. Ramana Rao,Driver E-352570
Working at Guntur -II Depot , R/o. Guntur, Guntur District.
7 A.H. Prasad Babu, S/o. Rama Rao,Driver E-106777
Working at Guntur -II Depot , R/o. Guntur, Guntur District.

..... PETITIONERS

AND

1 The APSRTC, Rep. by its Regional Manager, Guntur Region, guntur.
2 The APSRTC, Rep. by its Depot Manager, Guntur -II, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents herein in not granting the selection grade scale stagnation increment to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to all the petitioners on completion of 12 years of service irrespective of their transfer from the date of initial appointment and to pay the arrears by refixing the pay of all the petitioners forthwith and to pass such other order or orders.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY

The Court made the following:

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ORDER:

In not granting the selection grade scale stagnation increment to the petitioners on completion of 12 years service, the present writ petition is filed.

The petitioners are working as Drivers in the respondent Corporation. They contend that after completion of 12 years of successful service in the respective categories, they are entitled for Selection Grade Stagnation increment, which has already remained due on different dates.

2. The grievance of the petitioners is that the respondents did not take any steps to release the Special Grade Stagnation increment to the petitioners; therefore, they approached this Court seeking direction to the respondents to pass appropriate orders regarding the Selection Grade Stagnation increment to them. Respondents did not deny the eligibility of the employees who have completed 12 years of continuous service for the Selection Grade Stagnation increment.

3. In the light of the circumstances, the respondents are directed to pass appropriate orders regarding the release of the Selection Grade Scale Stagnation increment to the petitioners, keeping in view the Judgment of a Division Bench of this Court in Writ Appeal No.1301 of 2000 dated 29.10.2002, within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioners.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

27.12.2004

dsr

To:

1. The Regional Manager, APSRTC,

Guntur Region, Guntur

2. The Depot Manager, APSRTC,

Guntur-II, Guntur District

3. Two CD copies.